

1 MINUTES

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3 The State Board of Elections Board Meeting was held on Tuesday, October 4,  
4 2016. The meeting was held in the General Assembly Building, Richmond, Virginia –  
5 Room C. In attendance, representing the State Board of Elections (SBE) was James  
6 Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary.  
7 Also in attendance, representing the Department of Elections (ELECT) was Edgardo  
8 Cortés, Commissioner; Elizabeth Howard, Deputy Commissioner, and Rose Mansfield,  
9 Clerk. Anna Birkenheier, Assistant Attorney General and Counsel to SBE and ELECT  
10 attended. Chairman Alcorn called the meeting to order at 10:00AM.

11 The first order of business was the Pre-Election Preparation Update presented by  
12 Edgardo Cortés, ELECT Commissioner. Commissioner Cortés stated that the Board's  
13 working papers included the monthly registration statistics and they are posted on the  
14 agencies website; noting there are 4.9 million Virginians registered to vote.  
15 Commissioner Cortés stated that the focus on the paperless process; utilizing the tools at  
16 the Division of Motor Vehicles (DMV) and the utilization of the ELECT Citizen Portal,  
17 has been received favorably by Virginia Citizens, who are registering to vote or updating  
18 the current voter information. Commissioner Cortés stated that September 23, 2016 was  
19 National Voter Registration Day and Facebook pushed a reminder to subscribers about  
20 checking their voter registration status. As a result, the ELECT website experienced an  
21 increase of on-line activity. During a three day period there were over 51,000  
22 submissions on the website and over 18,000 registrations downloaded by the DMV.  
23 Commissioner Cortés stated that there have been 39,000 absentee ballot requests and  
24 15,000 voters have cast their absentee ballots in-person.

25 Commissioner Cortés stated the new general registrar liaison department has  
26 been working with the general registrar community to ensure compliance and to provide  
27 assistance which includes site visits. Commissioner Cortés stated that the voter outreach  
28 campaign continues utilizing the funding as allotted. Commissioner Cortés stated that  
29 media outlets (television and radio), social media (Facebook and Twitter), signage in  
30 commuter parking lots reminding voters of critical election dates and Constitutional  
31 Amendments (publications and flyers) continue to be utilized.

Commissioner Cortés stated that ELECT is continuing to work with their federal and state partners regarding cybersecurity issues related to the elections. Commissioner Cortés noted that the Department of Homeland Security issued tips and guidelines related to voting security registration systems. Commissioner Cortés stated that Virginia previously implemented the recommendations of the Department of Homeland Security. Commissioner Cortés stated that ELECT continues to conduct Contingency of Operation Plan (COOP) meetings with agencies within the Commonwealth. Commissioner Cortés thanked the Virginia Capitol Police for the work they perform daily and especially their support during the election cycles.

Commissioner Cortés stated that the voter photo identification law appeal was heard in the 4<sup>th</sup> Circuit Court and an independent candidate requested an injunction for ballot access in the United States District Court for the Eastern District of Virginia. Commissioner Cortés asked if there were any questions.

Chairman Alcorn asked ELECT to provide the absentee statistics from the 2012 presidential election to SBE. Chairman Alcorn asked that a lessons learned agenda item be added to an appropriate SBE meeting after the election to discuss election related issues. Chairman Alcorn thanked ELECT for all the proactive work being conducted within the election community. Chairman Alcorn asked if ELECT was on budget with the voter outreach campaign. Commissioner Cortés stated that ELECT was frugal with the budget and has stayed within limits.

Vice Chair Wheeler asked about the transmission speed of the Virginia Election and Registration System (VERIS) utilized by the general registrars to verify voter information. Commissioner Cortés stated that information system received from other providers was in transition. Issues were identified and the Department enlisted help from another vendor to assist with address validation, while ELECT wrote the code to facilitate the transition. Commissioner Cortés stated that VERIS speed was impacted by National Voter Registration Day. Commissioner Cortés stated that general registrars are running reports tasking the VERIS resources that are currently available on-line. Commissioner Cortés stated the general registrar community has provided positive feedback to ELECT regarding posting the reports on-line. Vice Chair Wheeler asked if DMV had enhanced the system by sending a message to a voter that their application was received, thus

63 stopping the multiple entries of applications by the same voter. Commissioner Cortés  
64 stated that a time-out was installed in early 2016 that will not allow the voter to submit  
65 multiple entries of the same voter registration application. Commissioner Cortés stated  
66 that there is a process for the general registrar to handle multiple entries. Vice Chair  
67 Wheeler asked about first-time voters and if there was a flag on their record regarding  
68 their photo identification when requesting an absentee ballot. Commissioner Cortés stated  
69 that there was not a photo identification requirement for voting absentee ballot by mail.  
70 Commissioner Cortés stated that the first-time voter who registers on-line must appear in  
71 person in order to cast their ballot when their identification cannot be verified by DMV  
72 noting that this only affects a small percentage of first-time voters. Vice Chair Wheeler  
73 asked why ELECT sent provisional ballots to cover 33% of the localities registered  
74 voters. Commissioner Cortés stated that the provisional ballots were an expense covered  
75 by ELECT and as part of the COOP those ballots will be utilized in case of an emergency  
76 either manmade or by nature. Commissioner Cortés stated that it is important that the  
77 registrars are prepared for an emergency verses having several hundred individuals  
78 waiting to cast their ballot due to a manmade or natural situation. Chairman Alcorn  
79 stated that this process was appropriate for Election Day. Vice Chair Wheeler asked if  
80 ELECT was confident that deceased individuals are not being added to the voting rolls.  
81 Commissioner Cortés stated the Department has a complex list maintenance process and  
82 updates occur on a monthly and annual basis. The general registrar will be notified that  
83 the voter has passed and the registration will be cancelled. Additionally, this information  
84 is matched to the statewide data base. Commissioner Cortés stated: “I am very confident  
85 in the Department’s and general registrars ability to keep our rolls clean and address  
86 those issues as they arise.”

87 Secretary McAllister asked about the voter outreach program and the feedback  
88 received by ELECT. Commissioner Cortés stated that the program has been well received  
89 by the general registrars and it is encouraging to see Virginia voters updating their  
90 information the website. Secretary McAllister stated that it is encouraging that ELECT is  
91 working with federal and state partners regarding cybersecurity and it is comforting to  
92 hear that Virginia is in a good position for this election. Commissioner Cortés stated that  
93 Virginia is ahead of the curve on election related security and continues to monitor the

94 situation based on the guidelines and tips as received. Secretary McAllister asked if the  
95 general registrars have been informed about the information available in the system so  
96 that unnecessary reports will not be requested in VERIS, thus slowing the system.  
97 Commissioner Cortés stated that ELECT has been pushing out information to the general  
98 registrar's and asking them to run non-critical reports during the night.

99 The next order of business was the Regulatory Actions presented by James  
100 Alcorn, SBE Chairman. Chairman Alcorn noted that no action on these regulations would  
101 be taken at this meeting. The outstanding regulatory actions discussed were; Periodic  
102 Review of 1VAC20-60-Election Administration, Periodic Review of 1VAC20-80-  
103 Recounts and Contests, Proposed New 1VAC20-60-35-Polling Place Accessibility  
104 Assessments and Proposed Delegations Update 1VAC20-20Definitions. SBE Members  
105 and ELECT staff discussed the open items in review. Chairman Alcorn stated that these  
106 regulations would come before SBE after the November 2016 election for review and  
107 consideration. Chairman Alcorn asked if there was any public comment and there was  
108 none.

109 The next order of business was the Survey review presented by Commissioner  
110 Cortés. Commissioner Cortés stated that the survey tool utilized in 2015 was included in  
111 the working papers and it is recommended that a review be conducted to determine if any  
112 changes are required for the 2016 November elections survey. Commissioner Cortés  
113 stated that the revised survey will be sent to the general registrars post-election. SBE  
114 members suggested additions and changes. Commissioner Cortés requested that  
115 additional changes and suggestions be submitted to ELECT by Election Day.

116 Chairman Alcorn asked if there were any public comments. Greg Riddlemoser,  
117 Stafford County General Registrar approached the podium. Mr. Riddlemoser stated that  
118 the communications of ELECT are appropriate and of quality. Mr. Riddlemoser stated  
119 that SBE communications have been untimely. Mr. Riddlemoser stated that ELECT's  
120 voter outreach program was excellent. He stated that people assume that localities have  
121 unlimited resources when they talk about the length of lines. Mr. Riddlemoser stated that  
122 the complexity of the ballot adds to the length of lines. Mr. Riddlemoser stated that he  
123 wouldn't have released the new voter application before a presidential election. Mr.  
124 Riddlemoser stated that he would have tested VERIS before turning on several options

125 and would not have let DMV into the voter system. He further stated he wouldn't have  
126 done the ELECT Citizens Portal without verification and that citizen's portal for absentee  
127 ballot requests is dirty. There is nothing in the system that tells the voter they are  
128 registered or have already requested an absentee ballot and kicks it back to the homepage  
129 and the volume of electronic downloads is crushing the general registrars. Mr.  
130 Riddlemoser asked SBE to turn off the electronic modular after the voter registration  
131 deadline and for SBE to turn off the absentee ballot request modular after the deadline  
132 and fix the VERIS system the way the general registrars would like it fixed. Chairman  
133 Alcorn asked if there were additional public comments.

134 Theresa Martin, President of the League of Women (LWV) Voter's-Northern  
135 Virginia approached the podium. Ms. Martin stated that the ELECT voter outreach  
136 campaign was extremely helpful in conducting third party registration events and express  
137 gratitude for the help the Department provided. Ms. Martin stated that the LWV endorses  
138 the new voter registration form and complimented the ease of completing the application.  
139 Chairman Alcorn asked if there were comments and there were none.

140 Chairman Alcorn moved *that the Board adjourn*. Vice Chair Wheeler seconded  
141 the motion and without further comment the Board voted unanimously to adjourn.

142 The meeting was adjourned at approximately 1:00PM. The Board shall  
143 reconvene on November 8, 2016 at 8:00AM in the Martha Brissette Room – Washington  
144 Building, Richmond, Virginia.

147 \_\_\_\_\_  
148 Secretary

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151 Chair

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154 Vice Chair

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